

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CARL WHITEHEAD,)
Plaintiff,) Civil Action No. 09-220J
v.)
GERALD ROZUM; *ET AL.*,) Judge Kim R. Gibson/
Defendants.) Magistrate Judge Cynthia Reed Eddy

ORDER

AND NOW, this 14th day OF September, 2012, a Complaint having been filed in this matter [ECF No. 3], and Defendants having filed a Motion for Summary Judgment [ECF No. 139] pursuant to Fed. R. Civ. P. 56, to which Plaintiff responded, [ECF No. 158], the Magistrate Judge recommended in a Report and Recommendation [ECF No. 164] that Defendant's Motion be granted. Objections to the Magistrate Judge's Report and Recommendation were due on August 31, 2012, and none were filed.

Upon independent review of the record, including the Magistrate Judge's Report and Recommendation [ECF No. 164], which is adopted as the opinion of this Court, IT IS HEREBY ORDERED that the Defendants' Motion for Summary Judgment [ECF No. 139] is GRANTED. It is further ORDERED that the Clerk of this Court mark this matter closed.

W. R. Wilson

Kim R. Gibson
United States District Judge

cc: Attorneys of Record via CM-ECF

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